

BILL NUMBER: AB 2193 CHAPTERED

CHAPTER 728

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INTRODUCED BY Assembly Member Rainey

FEBRUARY 8, 1996

An act to amend Section 64 of the Harbors and Navigation Code,
relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2193, Rainey. Sacramento-San Joaquin Delta: *Egeria densa*.

(1) Existing law designates the Department of Boating and Waterways as the lead agency in cooperating with other agencies in controlling water hyacinth in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh.

This bill also would designate the department as the lead agency in cooperating with other agencies in controlling *Egeria densa* in those areas. The bill would provide that up to \$5,000 per year of the funds available for expenditure by the Department of Fish and Game to implement the bill shall be paid from the Harbors and Watercraft Revolving Fund.

The bill would require the department and the Contra Costa Water District to develop a memorandum of understanding establishing the parameters for any control program proposed to take place in Rock Slough. The bill, thereby, would impose a state-mandated local program.

The bill would provide that it does not apply to any control program proposed for Sand Mound Slough.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 64 of the Harbors and Navigation Code is amended to read:

64. (a) The Legislature hereby finds and declares that the growth of water hyacinth and *Egeria densa* in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh has occurred at an

unprecedented level and that the resulting accumulations of water hyacinth and *Egeria densa* obstruct navigation, impair other recreational uses of waterways, have the potential for damaging manmade facilities, and may threaten the health and stability of fisheries and other ecosystems within the delta and marsh.

Accordingly, it is necessary that the state, in cooperation with agencies of the United States, undertake an aggressive program for the effective control of water hyacinth and *Egeria densa* in the delta, its tributaries, and the marsh.

(b) The department is designated as the lead agency of the state for the purpose of cooperating with agencies of the United States and other public agencies in controlling water hyacinth and *Egeria densa* in the delta, its tributaries, and the marsh.

(c) The department, other state agencies, cities, counties, and districts are hereby authorized to cooperate with one another and with agencies of the United States in controlling water hyacinth and *Egeria densa* in the delta, its tributaries, and the marsh and may furnish money, services, equipment, and other property to that end.

(d) Up to five thousand dollars (\$5,000) per year of the funds available for expenditure by the Department of Fish and Game to implement this section shall be paid from the Harbors and Watercraft Revolving Fund.

(e) Whenever any control program is proposed to take place in Rock Slough, the department and the Contra Costa Water District shall develop a memorandum of understanding establishing the parameters of the control program. This subdivision does not apply to any control program proposed for Sand Mound Slough.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIIIIB of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIIIIB of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.